

01-04-05

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## PATENT

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Maria Nadal  
Maria Nadal

Inventor: Marcus A. Horwitz

Serial No.: 10/695,155

Filing Date: 10/27/2003

Title: ABUNDANT EXTRACELLULAR  
PRODUCTS AND METHODS FOR  
THEIR PRODUCTION AND USE

Examiner: Unassigned

Group Art Unit: 1641

Atty Docket No.: 51326-00004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

### INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, and in accordance with the provisions in the Manual of Patent Examining Procedure §§609 and 707.05(b), enclosed is a copy of the substitute for Form PTO-1449 listing the references that are known to applicant. Applicants enclose copies of each of the listed references which are not U.S. patents.

This art is being filed for consideration in compliance with § 1.97 within the following time period:

37 C.F.R. § 1.97(b)(3) This information is being filed for consideration and entry before the mailing of a first Office Action on the merits.

The submission of the above-described documents does not constitute an admission nor should it be construed as a representation that: a search has been made, or that it is material to patentability as defined in § 1.56(b).

Applicant reserves the right to antedate or otherwise remove the documents as references.

It is respectfully requested that the listed references be considered in the examination of this application and identified on the list of references cited on the patent issuing for this application. Applicant also requests that an initialed copy of the substitute for Form PTO-1449 be entered in the application file and returned to applicant with the next communication from the Office in accordance with MPEP § 609.

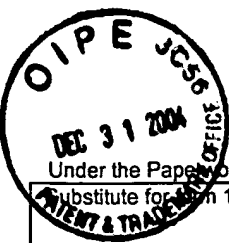
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application. Applicants believe no fee is due with this filing, however, if it is deemed that a fee is due, the Director is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3207 associated with this response.

Respectfully submitted,

Dated: 12/20/04

Louis C. Cullman by Michelle Glaskey  
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 12

Application Number	10/695,155
Filing Date	10/27/2003
First Named Inventor	Marcus Horwitz
Group Art Unit	1641
Examiner Name	Unassigned
Attorney Docket Number	51326-00004

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		3,888,837	06/10/75	Tsumita et al.	
		3,943,119	03/09/76	Tsumita et al.	
		4,123,427	10/31/78	Dniel	
		4,285,931	08/25/81	Limjuco et al.	
		4,460,503	07/17/84	Savrda et al.	
		4,724,144	02/09/88	Rook et al.	
		4,777,130	10/11/88	Maes	
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		4,952,395	08/28/90	Shinnick et al.	
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		5,154,923	10/13/92	Van Eden et al.	
		5,169,940	12/08/92	Patarroyo	
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		5,254,459	10/19/93	Patarroyo	
		5,268,170	12/07/93	Van Eden et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Date of Publications of Cited Documents MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup>				
		EP	0499003	A1	08/1992	N.V. Immunogenetics S.A.		
		EP	0519218		12/1992	Biotechnologische Forschung mbH		
		GB	2239246		06/1991	Aktiebolaget Astra		
		WO	85/03639		08/1985	University College London		
		WO	88/02027		03/1988	Applied Biotechnology, Inc.		
		WO	88/05823		08/1988	Whitehead Institute for Biomedical Research		
		WO	88/06626		09/1988	Whitehead Institute for Biomedical Research		

Examiner  
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Date  
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Sheet	2	of	12	Application Number	10/695,155
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Filing Date	10/27/2003
First Named Inventor	Marcus Horwitz
Group Art Unit	1641
Examiner Name	Unassigned
Attorney Docket Number	51326-00004

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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup>				
		WO	89/05825		06/1989	Immunex Corp.		
		WO	89/12455		12/1989	Whitehead Institute for Biomedical Research		
		WO	90/00594		01/1990	Whitehead Institute for Biomedical Research		
		WO	90/02564		03/1990	Codon		
		WO	90/10449		09/1990	Cohen IR et al.		
		WO	90/15873		12/1990	Whitehead Institute for Biomedical Research		
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		WO	91/14448		10/1991	Aktiebolaget Astra		
		WO	92/01783		02/1992	Albert Einstein College of Medicine		
		WO	92/01796		02/1992	Smith-Kline Beecham Biologicals		
		WO	92/04462		03/1992	Immunologic Pharma.		
		WO	92/16628		10/1992	N.V. Immunogenetics S.A.		
		WO	92/21376		12/1992	Medimmune Inc.		
		WO	92/21697		12/1992	Medical Research Council		
		WO	92/22326		12/1992	Albert Einstein College of Medicine		
		WO	93/07897		04/1993	Medimmune Inc.		
		WO	93/14118		07/1993	Medical Research Council		
		WO	93/14789		08/1993	New England Medical Center Hospitals, Inc.		
		WO	94/02508		02/1994	Proteus Molecular Design Ltd.		
		WO	95/01440		01/1995	Statens Serum Institut		
		WO	95/01441		01/1995	Statens Serum Institut		
		WO	95/14713		06/1995	Regents of the University of California		

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Attorney Docket Number	51326-00004

Sheet

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of

12

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		C. Abou-Zeid et al., "The Secreted Antigens of Mycobacterium tuberculosis. . . Available Antibodies," 1988, 134:531-538, J. Gen. Micro.	
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		Blander, Steven J., and Marcus A. Horwitz. "Vaccination with Legionella pneumophila Membranes Induces Cell-mediated and Protective Immunity in a Guinea Pig Model of Legionnaires' Disease." Journal of Clinical Investigation 87 (Mar. 1991) 1054-9.	
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		Blander, Steven J., and Marcus A. Horwitz. "Major Cytoplasmic Membrane Protein of Legionella pneumophila, a Genus Common Antigen and Member of the hsp 60 Family of Heat Shock Proteins, Induces Protective Immunity in a Guinea Pig Model of Legionnaires' Disease." Journal of Clinical Investigation 91 (Feb. 1993) 717-23.	
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Examiner Signature		Date Considered	
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STATEMENT BY APPLICANT**

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				Application Number	10/695,155
				Filing Date	10/27/2003
				First Named Inventor	Marcus Horwitz
				Group Art Unit	1641
				Examiner Name	Unassigned
Sheet	6	of	12	Attorney Docket Number	51326-00004

**NON PATENT LITERATURE DOCUMENTS**

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First Named Inventor	Marcus Horwitz
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of

12

Application Number

10/695,155

Filing Date

10/27/2003

First Named Inventor

Marcus Horwitz

Group Art Unit

1641

Examiner Name

Unassigned

Attorney Docket Number

51326-00004

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
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Application Number	10/695,155
Filing Date	10/27/2003
First Named Inventor	Marcus Horwitz
Group Art Unit	1641
Examiner Name	Unassigned
Attorney Docket Number	51326-00004

Sheet 12 of 12

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